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RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2652PATENT

S/N 10/070,288

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NAKANISHI ET AL. Examiner: AGUSTIN  
 Serial No.: 10/070,288 Group Art Unit: 2652  
 Filed: FEBRUARY 28, 2002 Docket No.: 10873.887USWO  
 Title: OPTICAL ELEMENT, SEMICONDUCTOR DEVICE, AND OPTICAL  
 INFORMATION RECORDING DEVICE EMPLOYING THE SAME

CERTIFICATE UNDER 37 C.F.R. 1.640:

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on March 28, 2005.

By: [Signature]  
Name: John J. [Signature]AMENDMENT

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Dear Sir:

In response to the Office Action mailed December 29, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 7 of this paper.